

**7344/05**

**LIMITE**

**JAI 92**

**Translation provided by the Belgian delegation**

**NOTE**

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from :	the Belgian delegation
Subject :	Standing Committee on Internal Security (COSI) – Constitutional Treaty, art.III-261

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The constitutional Treaty provides for the creation of a standing committee in charge of promoting and reinforcing operational co-operation in internal security matters within the European Union (art. III-261).

The aim of the present document is to present Belgium's proposal related to the task of the committee (hereafter called COSI) in internal security matters and to its position within the work structure of the Council.

**A. The task of the COSI**

The work of the Council for the creation of an area of freedom, security and justice depends on the orientations decided by the European Council, in accordance with art. III-258 of the constitutional Treaty. The work of the Council in the JHA area includes operational, strategic and legislative aspects. The COSI's participation in the work of the Council is based on a specific field of the JHA area and on some particular aspects of the work:

- The work of the COSI concerns the whole internal security. The approach of this problem must encompass relevant elements of police co-operation, including customs, elements of legal co-operation in criminal matters, of internal security intelligence, of maintenance of public order and of border control. The European Internal Security Plan will be a key concept in this perspective.
- In the field of internal security, the COSI must be involved in operational and strategic aspects, according to the programme of the Hague, which stresses the need to follow up the strategic priorities set by the Council and to co-ordinate the operational activities of law enforcement services and other authorities.

In order to facilitate this comprehensive management of internal security, the COSI shall :

- a) make the various initiatives taken in this field more consistent (plans of action, various strategies) within the framework of the Council;
- b) monitor the implementation of those strategies;
- c) assess those strategies and, if necessary, give recommendations to reorient them.

*a) A more coherent European strategy*

The COSI periodically submits a European Internal Security Plan to the Council. This plan is based on the strategic options agreed upon by the European Council and on various elements, such as Europol threat analyses, Eurojust annual report, the strategic analyses of the SITCEN (in the field of internal security), the communications of the Commission, the work of the different working parties (see below), the recommendations of the Border Management Agency, the reports of the European Monitoring Centre for Drugs, of the European Monitoring centre on Racism and Xenophobia and of CEPOL.

This European internal security plan sets priorities for the future and provides for global and local strategic programmes with specific objectives. Those objectives include operational objectives (e.g.: increasing the amount of information sent to Europol within a certain period) and impulses towards the legislative work insofar as this legislative work is directly related to the identified priorities (e.g.: proposing the drawing up of a European law on the role of the liaison officers for the protection of the Euro).

The COSI submits the European internal security plan to the Coreper/Council, which takes the final responsibility for it.

***b A co-ordinated implementation***

The COSI ensures the follow up of the European Internal Security Plan in close co-operation with the European Commission. This includes the transposition of the European Internal Security Plan into specific operational plans. Within this framework, it may give recommendations, according to the case, to Europol, Eurojust, the SITCEN and the Border Management Agency. The COSI also monitors the implementation of the European Internal Security Plan and the implementation of the operational plans by the competent national authorities.

In order to improve the co-ordinated implementation in the Member states, the COSI may also make recommendations about common concepts aiming at achieving the operational objectives and about the enforcement police methods in the different Member States.

As part of this follow-up, the COSI sees to it that the legislative objectives of the European Internal Security Plan are met. It is however not involved in the legislative work as such.

Finally, the COSI is in charge of the planning and co-ordination of operational actions at EU level (e.g.: planning and co-ordination of the High Impact Operations), in order to implement the European Internal Security Plan.

*c) Assessment and reorientation*

The COSI guarantees the assessment and adaptation of the plan (as a whole or in part) according to the same principles.

**B. Position in the work structure**

Each Member State appoints its representative(s) within the COSI. Those representatives are high ranking persons in the field of internal security. The composition of the COSI may vary according to the topic. This should not undermine the co-ordination needed for a comprehensive management of internal security.

Besides the representatives of the Member States, the COSI is composed of representatives of the European Commission and ad hoc EU authorities, including Europol and Eurojust.

The COSI regularly meets at the Council and is assisted by a support unit. The work of the COSI is submitted to the Council via the Coreper.

The COSI is also permanently informed about the legislative work (drafting of laws and framework laws) done by the working groups and may give advice about this work.

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